

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

REPUBLIC WESTERN INSURANCE }  
COMPANY, }

Plaintiff, }

v. }

DERRELL J. CHAMBLEE, et al., }

Defendants. }

CIVIL ACTION NO.

CV-00-AR-2461-S

FILED

01 JAN -8 PM 3:24  
U.S. DISTRICT COURT  
N.D. OF ALABAMA

ENTERED

JAN 8 2001

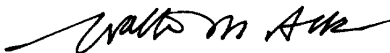
**MEMORANDUM OPINION**

Default having been entered against defendant, Derrell J. Chamblee ("Chamblee"), and said defendant having thereby confessed to liability, the issue of damages was set for hearing at 9:00 a.m., January 8, 2001, at which time said defendant failed to appear. Based on the indemnity agreement attached to the complaint, and the affidavits attached to the motion of plaintiff, Republic Western Insurance Company ("Republic"), filed on January 3, 2001, the court makes the following findings of fact:

1. The Clerk properly entered default against Chamblee on December 26, 2000.
2. Chamblee executed the Indemnity Agreement, upon which Republic sues, on December 1, 1993.
3. Republic was required by law to pay the sum of \$161,235 under its performance bond as to which Chamblee was an indemnitor. Republic called upon Chamblee to pay the said sum but he has failed or refused to pay any portion of it. Accordingly, Chamblee is liable to Republic in the sum of \$161,235 plus interest and attorneys' fees.
4. Republic, in open court, waived its claim for interest and attorneys' fees as against Chamblee.

A separate judgment based on this findings will be entered.

DONE this 8<sup>th</sup> day of January, 2001.

A handwritten signature in black ink, appearing to read "Walter M. Ackers", written over a horizontal line.

WILLIAM M. ACKER, JR.  
UNITED STATES DISTRICT JUDGE